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Attorney Docket No. 33964/1100

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: )  
Harris, Jr. et al. ) Examiner: Quang Thanh  
Serial No. 10/798,471 ) Group Art Unit: 3674  
Filed: March 11, 2004 )  
For: Handheld Massaging Device )

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. §1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. In accordance with the PTO notice dated July 11, 2003, waiving the requirement under 37 CFR 1.98 (a)(2)(i) for submitting copies of each cited U.S. Patent, for all U.S. national patent applications filed after June 30, 2003, no copies of U.S. Patents are enclosed. However, copies of foreign patents and non-patent literature are submitted under 37 CFR 1.98(a)(2).

The Director is hereby authorized to charge the fee amount of \$180 set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 50-3205 (BROOK.1025 (33964/1100)) to comply with the provisions of 37 C.F.R. §1.97(c).

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication, or other information referred to herein is "prior art."

It is requested that the accompanying information disclosure statement be considered and made of record in the above-captioned application. To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/798,471
Filing Date	March 11, 2004
First Named Inventor	Harris
Art Unit	3764
Examiner Name	Quang Thanh
Attorney Docket Number	33964-1100

Sheet 1 of 3

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- D510,441 S	10-04-2005	Harris, Jr. et al.	
		US- D454,959 S	03-26-2002	Harris et al.	
		US- D466,612 S	11-25-2002	Harris et al.	
		US- D476,746 S	06-01-2003	Harris et al.	
		US- D435,913 S	01-02-2001	Harris et al.	
		US- D438,308 S	02-27-2001	Harris et al.	
		US- D466,217 S	12-03-2002	Harris et al.	
		US- D415,838	10-26-1999	Noble	
		US- 6,981,954 B2	01-03-2006	Huang	
		US- 6,165,145	12-26-2000	Noble	
		US- 5,716,332	02-10-1998	Noble	
		US- 6,733,466 B2	05-11-2004	Huang	
		US- 6,730,050 B2	05-04-2004	Huang	
		US- 6,500,135 B2	12-21-2002	Huang	
		US- 6,786,878 B2	09-07-2004	Dehli	
		US- 6,432,072 B1	08-13-2002	Harris et al.	
		US- 20030028134 A1	02-06-2003	Lev et al.	
		US- 20050020947 A1	01-27-2005	Delhi	
		US- 20050049529 A1	03-03-2005	Ferber et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(Use as many sheets as necessary)

Sheet **2** of **3****Complete if Known**

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Examiner Name	Quang Thanh
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		US- 20030028134 A1	02-06-2003	Lev et al.	
		US- 20050010141 A1	01-13-2005	Mordechai et al.	
		US- 20030009116	01-09-2003	Luetngen et al.	
		US- 4,878,489	11-07-1989	Kamayachi	
		US- 5,674,261	10-07-1997	Smith	
		US- 6,053,881	04-25-2000	Boodramsingh et al.	
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Examiner Signature		Date Considered	
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		First Named Inventor	Harris
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		Examiner Name	Quang Thanh
Sheet 3 of 3	Attorney Docket Number	33964-1100	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Brookstone, Pinpoint Massager, www.brookstone.com	
		Brookstone, Pressure Touch Body Massager, www.brookstone.com	
		Brookstone, Twin Sensations Massager, www.brookstone.com	
		Sharper Image, Acuvibe Rechargeable Personal Massager, HW423, www.sharperimage.com	
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